

On motion of Mr. Bogart, the vote which refused to engross a bill for the relief of William H. Kennedy was reconsidered, and, on motion of Mr. Parker, the bill was laid on the table.

On motion of Mr. Sterne, Mr. Meusebach was granted leave of absence for eight days from and after to-day.

On motion of Mr. Burleson, a bill for the relief of Edward B. Wood was taken from the table, read, and ordered to be engrossed.

On motion of Mr. Scott, a bill for the relief of the heirs of John W. Tilden, deceased, was taken from the table, read, and ordered to be engrossed.

On motion of Mr. Bogart, the Senate adjourned until 10 o'clock to-morrow morning.

TUESDAY, November 25, 1851.

The Senate was called to order by the President pursuant to adjournment—prayer by the Rev. Mr. Smith—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Davis, chairman of the committee on State Affairs, to whom were referred a bill to permit Mary Madison to remain in this State, and a bill for the relief of Philip Evans, reported them back to the Senate, and recommended their passage.

Mr. Davis, from the same committee, to which was referred a bill to provide a mode of changing a person's name, reported the same back with the following amendments:

Strike out "ward," in the fourth line; strike out the second section of the bill.

Mr. Armstrong, chairman of the committee on Public Lands, to whom was referred a bill to authorize the Commissioner of the General Land Office to issue patents in certain cases, reported the same back to the Senate, and recommended its rejection.

Mr. Armstrong, from the same committee, reported back to the Senate a bill for the relief of Penelope Newsom, daughter and heir of Robert Conn, deceased; and recommended its passage.

Mr. Armstrong made the following report:

The committee on Public Lands, to whom was referred a bill for the relief of James Pratt Plummer, have examined the

question, and believe that if there is merit in any case it is in this, but if the relief be granted it will be purely a gratuity, not founded on any existing legal right; and as this committee are not entirely satisfied of the policy of extending relief in such cases, ask to be discharged from the further consideration of the bill.

Mr. Armstrong, from the same committee, to which was referred a bill for the relief of such persons as have emigrated to Texas, under the provisions of an act of the Republic of Texas, granting lands to emigrants, reported the same back to the Senate, and recommended that it be referred to the select committee having under consideration the interests of said colonists.

Mr. Armstrong, from the same committee, to which was referred a bill to amend the fourth section of an act for the relief of the citizens of Mercer's colony, reported the same back, and recommended its passage, with the following amendments:

After the word "certificate" in first section, insert "provided this act shall extend only to such certificates as have heretofore been issued, and provided also that this act shall not operate to the advantage of the colony contractor."

Mr. Taylor made the following report:

The committee on Private Land Claims, to whom was referred the petition of John H. Hyde, have considered the same, and find that the proofs are not sufficient to entitle the said Hyde to the land for which he petitions. He, the petitioner, does not swear that he arrived in the Republic of Texas by the first of March, 1836, but says in his petition that he arrived here about that time.

From these facts, the committee have instructed me to report, that in their opinion, it is inexpedient to grant the prayer of the petitioner, all of which is respectfully submitted.

Mr. Parker, chairman of the committee on Claims and Accounts, to whom was referred the petition of Richard Hooper, reported, that in the opinion of the committee the counties of Shelby and Panola should pay for the running and defining the lines of said counties, and that no further legislative action should be had thereon.

Mr. Parker, from the same committee, to which was referred the petition of Francis Ramsdale, reported that there is no evidence before the committee showing the amount claimed by petitioner, therefore recommend that no further action be had thereon.

Mr. Eddy, chairman of the committee on Printing, to whom was referred a bill to amend an act regulating the Public Print-

ing, approved March 8, 1848, reported the same back to the Senate, with the following amendments, and recommended their adoption and the passage of the bill :

Amendments; in first section, thirteenth line, after the word "laws," insert "and fifteen hundred copies of the decisions of the Suprrme Court." At the end of the second section insert, "and it shall be the duty of the Secretary of the Senate and Chief Clerk of the House of Representatives, to hand over to the Secretary of State the original copies of the journals of the Senate and House of Representatives, immediately after their adoption, and it shall be the duty of the Secretary of State to furnish a copy, and to superintend the printing and publishing of the laws and journals."

Mr. Gray, chairman of the committee on the Judiciary, made the following report:

The committee on the Judiciary have examined a bill to amend the fourth section of the act regulating the descent and distribution of intestates estate's. The bill proposes to change the present law in case of a husband or wife dying without children, so as to pass the entire estate of the deceased to the surviving husband or wife. The committee are of opinion that the present law is as favorable to the surviving party as it is advisable to make it by statute. The law now gives, in such cases, to the survivor the whole of the community property, one half of the separate personal estate, and a life estate in one half of the slaves and lands of the deceased. The property of the deceased may have been received by inheritance or donation from his or her blood relations. The proposed change of the law would pass the whole of such property to the survivor, and should the survivor marry or die shortly after, the property would pass to strangers to the party originally owning it. This would not often be the wish of a decedent, and if so, it might be readily provided for by will. The committee, therefore, and for other reasons, think it advisable to recommend that the bill be postponed indefinitely.

Mr. Gray, from the Judiciary committee, to which was referred a bill to authorize the Commissioner of the General Land Office to issue patents on land certificates issued by the supreme or district courts, reported the same back to the Senate, and recommended that it be correctly engrossed.

Mr. Gray, from the same committee, to which was referred a bill to create the counties of Cameron, Starr and Webb into separate land districts, reported the same back and recommended its passage.

Nr. Wilson, from the committee on the Judiciary, made the following report :

The committee on the Judiciary have considered the subject submitted to them by a resolution herewith returned, requiring them to inquire into the expediency of amending the criminal law, so as to abolish capital punishment, and report by bill or otherwise ; and a majority of said committee instruct me to report that they are not prepared to recommend such a course ; and they ask to be discharged from the further consideration of the subject.

Mr. Reaves, chairman of the committee on Engrossed Bills, made the following report :

The committee on Engrossed bills, to whom was referred :

A bill authorizing the several counties of the State to levy a special tax for county purposes ;

A bill for the relief of James M. Day ;

A bill for the relief of the heirs of Haden Arnold, deceased ;

A bill for the relief of John Bethea ;

A bill for the relief of the heirs of Leeman Kelsey, deceased ;

A bill concerning estates of deceased soldiers ; and,

A bill to amend an act to incorporate the Austin College ;

Reported that they have had the said several bills under consideration and find them correctly engrossed.

On motion of Mr. Taylor, a bill to repeal the 13, 14 and 15 sections of an act concerning wills, approved January 28, 1840, was taken from the table and placed among the orders of the day.

Mr. Day introduced a bill allowing assessors and collectors to employ deputies ; read first time.

On motion of Mr. Hill, the committee on Printing was instructed to contract for the printing of one hundred and fifty copies of the report of the Comptroller and Auditor, for the use of the Senate.

ORDERS OF THE DAY.

The following bills were severally read a third time and passed, to wit :

A bill concerning estates of deceased soldiers ;

A bill for the relief of the heirs of Leeman Kelsey, deceased ;

A bill for the relief of James M. Day ;

A bill for the relief of John Bethea ;

A bill for the relief of the heirs of Haden Arnold, deceased ;

And, a bill authorizing the several counties of the State to levy special taxes for counties purposes.

A bill to amend an act to incorporate the Austin College; read third time, and passed by the following vote:

Yeas—Messrs. Armstrong, Bigelow, Burleson, Dancy, Davis, Day, Doane, Eddy, Gray, Grimes, Hart, Hill, Kinney, Merri-man, Parker, Reaves, Scott, Sterne, Taylor, Truit, Williams and Wilson—22.

Nays—None.

A bill for the relief of the heirs of Joseph Rutherford, deceased; read second time and ordered to be engrossed.

A bill to require the return of field-notes in certain cases; read, and, on motion of Mr. Parker, referred to the committee on Public Lands.

A bill for the relief of Theresa Tyler; read, and, on motion of Mr. Sterne, laid on the table until to-morrow.

A bill regulating writs of error; read second time, and, on motion of Mr. Armstrong, referred to the Judiciary committee.

A bill to change the name of the county seat of Bell county; read second time, and on motion of Mr. Armstrong, referred to the committee on the Judiciary.

A bill to incorporate the town of Belton, in Bell county; read second time, and on motion of Mr. Armstrong, referred to the committee on the Judiciary.

A bill to require the commissioners of the town of Paris, in Lamar county, to turn over to the county court of said county, all monies, notes, deeds and other documents in their possession; read second time, and, on motion of Mr. Williams, referred to the committee on the Judiciary.

The resolution of the Senate instructing the committee on Finance to inquire into the expediency of abolishing direct taxes in this State, was read and adopted.

A bill to repeal the thirteenth, fourteenth and fifteenth sections of an act concerning wills, approved January 28, 1840, together with the report of the committee on the Judiciary, offering amendments thereto, was read, report adopted, and bill ordered to be engrossed by the following vote:

Yeas—Messrs. Armstrong, Burks, Burleson, Dancy, Davis, Day, Eddy, Gray, Grimes, Hill and Parker—11.

Nays—Messrs. Bigelow, Doane, Hart, Reaves, Scott, Sterne, Taylor, Truit, Williams and Wilson—10.

A message was received from the House, informing the Senate, that the House had passed a bill to incorporate the People's line of Gulf Steamers.

On motion of Mr. Hart, the Senate adjourned until 10 o'clock to-morrow morning.